

AO 91 (Rev 8/01) Criminal Complaint

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA
V.

Elmer Cruz-Portillo

United States Courts
Southern District of Texas
FILED

February 16, 2022

CRIMINAL COMPLAINT

Case Number: M-22-0335 -M

Nathan Ochsner, Clerk of Court

IAE
Honduras
(Name and Address of Defendant)

YOB: 1987

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about February 15, 2022 in Hidalgo County, inthe Southern District of Texas

(Track Statutory Language of Offense)

the defendant being then and there an alien who had previously been deported from the United States to Honduras in pursuance of law, and thereafter was found near Edinburg, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Elmer Cruz-Portillo was encountered by Border Patrol Agents near Edinburg, Texas on February 15, 2022. The investigating agent established that the defendant was an undocumented alien and requested record checks. The defendant claims to have illegally entered the United States on February 15, 2022, near Hidalgo, Texas. Record checks revealed the defendant was formally Deported/Excluded from the United States on May 25, 2018, through New Orleans, Louisiana. Prior to Deportation/Exclusion, the defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security.

On April 27, 2018, the defendant was convicted of 8 USC 1326 Illegal Re-Entry, and sentenced to Time Served and a two (2) year Supervised Release Term.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Complaint authorized by AUSA Colton Turner

Submitted by reliable electronic means, sworn to and attested
telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

February 16, 2022 4:51 PM

Nadia S. Medrano, U.S. Magistrate Judge
Name and Title of Judicial Officer/s/ Raylin Schannette
Signature of Complainant

Raylin Schannette Border Patrol Agent

Signature of Judicial Officer